

CONCLUSION

N.J.A.C. 4A:4-4.7(a)3 provides, in pertinent part, that the name of an eligible may be removed from an eligible list for inability, unavailability or refusal of an eligible to accept appointment. Additionally, *N.J.A.C.* 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove the appellant's name from an eligible list was in error.

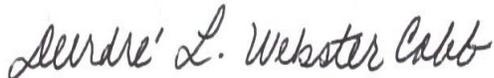
In the instant matter, the record demonstrates that a pre-employment processing letter dated June 1, 2018 was sent to the appellant notifying him of his scheduled date of June 8, 2018. On appeal the appellant acknowledges that he received the letter but did not appear as he "believed" that he had deferred the appointment. However, he fails to explain why he did not contact the appointing authority regarding the June 1, 2019 scheduling letter in order to clarify matters. The letter specifically stated that failure to keep this appointment or to notify the appointing authority of his absence could result in his name being removed the certification. Therefore, as the appellant acknowledges that he did not complete preemployment processing there is not a sufficient reason to restore his name to the subject eligible list. Accordingly, the appellant has not met his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in the judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 15TH DAY OF APRIL, 2020



Deirdre L. Webster Cobb
Chairperson
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